

# UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

THURSDAY, APRIL 4, 2013  
AGENDA SETTING MEETING MINUTES

## CALL TO ORDER

Chairman Linda Carter called the meeting to order at 7:32 PM.

Attendee Name	Title	Status	Arrived
Bruce Bergen	Freeholder	Present	
Angel G. Estrada	Freeholder	Present	
Mohamed S. Jalloh	Freeholder	Present	
Bette Jane Kowalski	Freeholder	Present	
Alexander Mirabella	Freeholder	Present	
Daniel P. Sullivan	Freeholder	Present	
Vernell Wright	Freeholder	Absent	
Christopher Hudak	Vice Chairman	Present	
Linda Carter	Chairman	Present	

Also present were County Manager Alfred J. Faella, County Counsel Robert E. Barry, Esq. and Clerk of the Board James E. Pellettiere.

## PRAYER AND SALUTE TO THE FLAG

The Prayer and Salute to the Flag were led by the Clerk of the Board.

## STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The statement of compliance with the Open Public Meetings Act was read by the Clerk of the Board.

## APPROVAL OF COMMUNICATIONS

Note and File

## OFFICE OF THE UNION COUNTY CLERK

Joanne Rajoppi, County Clerk

County Counsel Robert E. Barry represented the Office.

1. Amending Resolution Number 2012-885, a contract with Royal Printing Services, Inc., West New York, New Jersey for the purpose of printing Official Ballots, Sample Ballots, Emergency Ballots, Emergency Ballot Tally Sheets, Provision Ballots and Provisional Ballot Inventory Cards for the Berkeley Heights Special Election to be held on May 7, 2013 in the amount of \$6,525. **(Chairman Linda Carter)**

Freeholder Bergen asked if the County will be reimbursed for the printing services.

County Counsel Barry stated yes, municipality elections are fully reimbursed.

Freeholder Estrada asked for the difference in the elections.

County Counsel Barry stated that the Special Election is to seek an Ordinance for sewerage use agreement with the Township of Warren.

Freeholder Estrada asked how this election coincides with other elections.

County Counsel Barry stated that these Special Elections are usually out of the normal cycle. He said a special time is required when these elections could be held.

## **DEPARTMENT OF ADMINISTRATIVE SERVICES**

Matthew N. DiRado, Esq., Director

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1. Authorizing the County Manager to award the proposed contract obtained through advertised public bidding in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq; Division of Motor Vehicle : Hertrich Fleet, Milford, Delaware, for the purpose of providing 4 Prisoner Transport Vans in the amount of \$178,516.00. **(Chairman Linda Carter)**

Freeholder Estrada asked if the item is to replace the vans.

Director DiRado replied yes, one was damaged in an accident in 2011, and three have high mileage. He said they are all outfitted to transport prisoners.

Freeholder Estrada asked how many miles are on the vehicles and how much is typically incurred annually.

Director DiRado stated that the mileage run from 110,000 to 140,000 miles.

Director Riordan interjected and stated that he is uncertain as to how many miles are incurred annually.

Freeholder Estrada asked if the replacement vehicles will be more fuel effective.

Director DiRado stated that they always purchase gas over diesel fuel vehicles. They are cheaper to maintain. Due to the special use of these vans, there are no hybrids available.

## **DEPARTMENT OF ENGINEERING, PUBLIC WORKS AND FACILITIES**

Joseph Graziano, Director

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Freeholder Jalloh noted that there were multiple items listed on the Agenda involving road closures and asked if the County would be required to concur with the municipality.

Director Graziano stated that to his knowledge they have not had the need to close any roads. He said he does not believe that they need to concur with the municipality, but they will discuss the closure or the road with them.

1. Authorizing the County Manager to award a professional engineering service contract to The Louis Berger Group, Morristown, New Jersey, for the purpose of providing construction administration and inspection services for the intersection improvements to Vauxhall & Valley Street Project located in Union, New Jersey in an amount not to exceed \$45,000.00. **(Chairman Linda Carter)**

2. Amending Resolution Number 2011-1067, a contract through the public bidding process, with Fai Gon Electric, Piscataway, New Jersey, approving Change Order No. 2 (final) for the Intersection Improvement, City of Elizabeth, ARRA Project 1 (FS-B00S-915). This change order will reduce the contract amount by (\$19,144.35) for a new total contract amount of \$528,470.97. **(Chairman Linda Carter)**

Freeholder Kowalski asked how the contract amount in item #2 has been reduced.

Director Graziano explained that it is an intersection project. He said during the course of the project some Change Orders were required, as they did not need as much of product as originally planned.

3. Authorizing the County Manager to enter into a Cost Sharing Service Agreement between the County of Union and the Town of Westfield for the Intersection Improvement at E. Broad Street and Elm Street, Town of Westfield, New Jersey. **(Chairman Linda Carter)**

Freeholder Mirabella asked about the cost in item #3.

Director Graziano stated that the County received a grant award in the amount of \$200,000.00. The Town of Westfield will be responsible for all costs associated with this project in excess of this grant, such cost include engineering, construction inspection, etc. He said the County applied for the grant and oversees the funding, but this is the town's project.

4. Resolution concurring with the Borough of Roselle Park granting permission to close Chestnut Street, from Westfield Avenue to Grant Avenue, on Saturday, June 22, 2013, with a rain date of Saturday, June 29, 2013 from 3:00 p.m. to 8:00 p.m. and on Saturday, September 14, 2013, with a rain date of Saturday, September 21, 2013, from 2:00 p.m. to 7:00 p.m. for the "Crusin' Night Car Shows." **(Chairman Linda Carter)**
5. Resolution concurring with the Township of Berkeley Heights granting permission to the Suburban Chamber of Commerce and the Rotary Club to close Springfield Avenue, from Snyder Avenue to Summit Avenue on Sunday, June 30, 2013 from 7:00 a.m. to 7:00 p.m. for the First Annual Berkeley Heights Street Fair. **(Chairman Linda Carter)**
6. Resolution granting the Borough of New Providence permission to close South Street from Gales Drive to Springfield Avenue on Wednesday, July 3, 2013 from 6:00 p.m. to 11:00 p.m. for the "Downtown Fireworks Spectacular." Also, granting permission to close South Street from Gales Drive to Springfield Avenue on Sunday, September 8, 2013 from 7:00 a.m. to 7:00 p.m. for the Annual Street Fair. The Borough also requests approval to hang banners with dates and time to follow for the upcoming events for the year 2013: New Providence Business and Professional Association 5K Race; Summer Concert Series & Centennial Park Anniversary; Independence Day; Farmers Market; Street Fair; NP Alliance – Red Ribbon Week and the New Providence Downtown Improvement District Christmas Walk. **(Chairman Linda Carter)**

## DEPARTMENT OF HUMAN SERVICES

Frank Guzzo, Director

1. Authorizing the County Manager to establish County funds to comply with mandates of Legislative Bills A-175 and S-1914 that establishes burial costs for Union County's indigent, unidentified or unclaimed deceased residents be the responsibility of Union County at a burial

rate not to exceed \$1,550.00 in the total amount not to exceed \$60,000.00 for the two (2) year period of January 1, 2013 through December 31, 2014. **(Freeholder Bette Jane Kowalski)**

Freeholder Estrada asked if item #1 is new.

Director Guzzo stated that it is not new. He said the County was given this responsibility five or six years ago by the State. He said last year they were given \$60,000 and it is the same amount this year.

Freeholder Estrada stated it is part of the municipal welfare system.

Freeholder Estrada asked if we have a contract with them. Director Guzzo replied yes, two funeral homes have agreed to the price.

Vice Chairman Hudak stated that he was unfamiliar with this Resolution and asked Director Guzzo to update the public at the next Meeting.

Freeholder Mirabella asked how the process is determined in selecting the funeral homes. Director Guzzo stated that the funeral homes are located in Elizabeth as the bulk of welfare recipients live in Elizabeth; and it depends on which funeral home will accept the fee that the State will allow.

2. Authorizing the County Manager to award subcontracts, pursuant to a Request For Proposals (RFP) procurement process, for a portion of the funding under the 2013 Alcohol/Drug Abuse Grant for the period of May 1, 2013 to December 31, 2013 in the total amount not to exceed \$90,905.00, and further authorizing the County Manager to transfer funds among the awarded agencies during the contract period should service needs change and/or if any of the agencies fails to meet its contractual obligation. **(Freeholder Bette Jane Kowalski)**
3. Amending Resolution Number 2012-1019, to reflect a change in account numbers only with no change in the amount of funds allocated under the approved 2013 Community Services Block Grant (CSBG) Spending Plan. **(Freeholder Bette Jane Kowalski)**
4. Amending Resolution Number 2012-349 to amend the Ryan White Spending Plan and allocate additional funds in the amount of \$15,829.69 for a revised total allocation of \$1,964,814.69 for the period of March 1, 2012 through February 28, 2013. **(Freeholder Bette Jane Kowalski)**
5. Authorizing the County Manager to approve the Ryan White Spending Plan in the total amount of \$711,870 awarding subcontracts to various agencies to provide support services to people with HIV/AIDS for the period of March 1, 2013 through February 28, 2014 and further authorizing the County Manager to transfer funds among the agencies during the contract period should service needs change and/or if any of the various agencies fails to meet its contracted obligation. **(Freeholder Bette Jane Kowalski)**
6. Authorizing the County Manager to approve the Ryan White Spending Plan in the total amount of \$50,064 awarding subcontracts to various agencies to provide support services to people with HIV/AIDS for the period of March 1, 2013 through February 28, 2014 and further authorizing the County Manager to transfer funds among the agencies during the contract period should service needs change and/or if any of the various agencies fails to meet its contracted obligation. **(Freeholder Bette Jane Kowalski)**
7. Authorizing the County Manager to approve the 2013 Peer Grouping Spending Renewal Plan in the total amount of \$508,000 for subcontracted services to be provided during the period of

January 1, 2013 through December 31, 2013 and further authorizing the County Manager to transfer funds among the agencies during the contract period should service needs change and/or if any of the agencies fails to meet its contractual obligation. **(Freeholder Bette Jane Kowalski)**

Freeholder Jalloh asked about the allocation process about the spending plan mentioned in items 2 through 7.

Director Guzzo stated that the allocation process for the Spending Plan is approved by the advisory board. It is not 100%, but it provides flexibility and further authorizing the County Manager to transfer funds among the awarded agencies during the contract period should service needs change and/or if any of the agencies fails to meet its contractual obligation.

Freeholder Jalloh asked if there are agencies that do not make the list.

Director Guzzo replied yes, there are many reasons for not making the list.

Freeholder Jalloh asked if agencies could be left off the list due to lack of funding of the Spending Plan. Director Guzzo replied, yes. He said the limited funds are applied to the various agencies to achieve the goals set forth in the Spending Plan.

#### **DEPARTMENT OF PARKS AND COMMUNITY RENEWAL**

Ronald Zuber, Director

1. Authorizing the County Manager to award the proposed contracts obtained through advertised public bidding in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq: Department of Parks and Community Renewal, Division of Golf Operations: John Deere Landscapes of Cleveland, Ohio, for the purpose of providing Golf Course Supplies - Lots #1 and #2, in an amount not to exceed \$18,720; Wittek Golf Supply Co., Inc. of Northbrook, Illinois for the purpose of providing Golf Course Supplies - Lots #3, #4 and #6 in an amount not to exceed \$33,240.00; and Range Servant America, Inc., Norcross, Georgia for the purpose of providing Golf Course Supplies - Lot #5 in an amount not to exceed \$10,620 for a contract period of 24 months. **(Freeholder Daniel P. Sullivan)**
2. Amending Resolution Number 2011-614, a Professional Engineering Service contract with Neglia Associates, Lyndhurst, New Jersey, in the amount of \$17,780.00, to obtain a Waterfront Development Permit in association with the Mattano Park Artificial Turf project, for a total contract amount not to exceed \$94,982.00. **(Freeholder Daniel P. Sullivan)**
3. Amending Resolution No. 2012-458, approving the 2012 Consolidated Action Plan to include a contract with the Township of Springfield for the Robert Chisholm Building Senior Center ADA Facility Improvements for CDBG Year 38 in the amount of \$70,000.00. **(Freeholder Daniel P. Sullivan)**

Freeholder Jalloh explained item #3.

Director Zuber explained that it is to refurbish the Senior Center in Springfield to make the kitchen and bathroom ADA compliant.

Freeholder Jalloh asked if it is a shared service agreement with the Township of Springfield.

Deputy Director Rountree stated that the funding is from the Community Development Block Grant program. The Township of Springfield asked if the funding can be allocated early, so it could be ready for the summer. It was voted upon by the CDRS Committee.

Freeholder Kowalski asked if this is a typical project funded for Senior Centers, and if so, does this need to be done as a rush. we typically provide assistance to senior centers, and if this is one that needs to be done as a rush.

County Manager Faella stated the Senior Center is eligible under the Community Development Block Grant. He said the "rush" is good for the County as the Federal Government wants us to spend the money as quickly as possible.

4. Authorizing the County Manager to apply to the New Jersey Historical Commission for Fiscal Year 2014-2015 cycle of the General Operating Support Grant Program which supports history-related program and services. **(Freeholder Daniel P. Sullivan)**

#### **OFFICE OF THE COUNTY COUNSEL**

Robert E. Barry, Esq., County Counsel

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There were no questions.

1. A Resolution authorizing the County Manager to enter into a lease agreement between the County of Union and Smith Motors Realty Corp for 61-99 West Grand Street, Elizabeth, New Jersey, on a month to month basis from January 1, 2013 and expiring no later than December 31, 2013 at a sum of \$39,325.80 per month and in a total amount not to exceed \$471,909.60. **(Chairman Linda Carter)**

#### **FREEHOLDER SPONSORED RESOLUTIONS**

Chairman Carter stated that she may have additional Resolutions for the next Freeholder Meeting.

1. Appointing Gary Pfarr as a member to the Workforce Investment Board for a term commencing July 1, 2012 through June 30, 2014. **(Freeholder Mohamed S. Jalloh)**
2. Proclaiming the month of May as "Older Americans Month" in Union County to highlight the many contributions older Americans make to our community. **(Mirabella, Estrada, Kowalski, Bergen, Hudak, Sullivan, Carter, Jalloh, Wright)**
3. Congratulating Community Access Unlimited and their 14 honorees of the 29th Annual Awards Night Celebration to be held April 17, 2013 in Mountainside, New Jersey. **(Mirabella, Estrada, Kowalski, Bergen, Hudak, Sullivan, Carter, Jalloh, Wright)**
4. Congratulating the 2013 Freedom Fund Awards Banquet Honorees at the banquet to be held by the Roselle Branch of the National Association for the Advancement of Colored People, April 12, 2013 at The Grand Centurion in Clark. **(Chairman Linda Carter)**

#### **EXECUTIVE SESSION**

To the extent known, the following items will be discussed in Executive Session:

- 1) Attorney-Client privileged communication relative to contracts between the County of Union and Birdsall Engineering.

- 2) Discussions relative to pending contract negotiations between the County of Union and the collective bargaining unit for the PBA 250A.
- 3) Discussions relative to on-going contract negotiations with various Unions and Attorney-Client privileged communications relating to same.

County Counsel Barry stated that pursuant to provisions of the Open Public Meetings Act a public body may enter into Executive Session for the purpose of discussing certain enumerated subjects. This Board will now enter Executive Session for the purpose of discussing Attorney-Client privileged communication relative to contracts between the County of Union and Birdsall Engineering, Discussions relative to pending contract negotiations between the County of Union and the collective bargaining unit for the PBA 250 and discussions relative to on-going contract negotiations with various Unions and Attorney-Client privileged communications relating to same.

The minutes of the Executive Session shall be separated from the minutes of the Open Public Session. The minutes of the Executive Session, redacted as appropriate and necessary, shall be available in approximately 30 days. The Clerk of the Board shall retain the original minutes until such time as the confidential limitations have been removed, at which time they shall be made available.

Upon the Board's return, it will not take formal action on the matters discussed.

Upon a majority vote of the members present, the Board may now retire to Executive Session.

Motion to enter Executive Session.

**RESULT: ADOPTED [UNANIMOUS]; MOVER:** Alexander Mirabella, Freeholder; **SECONDER:** Mohamed S. Jalloh, Freeholder; **AYES:** Freeholder Bergen, Freeholder Estrada, Freeholder Jalloh, Freeholder Kowalski, Freeholder Mirabella, Freeholder Sullivan, Vice Chairman Hudak, Chairman Carter; **ABSENT:** Freeholder Wright;

Motion to return from Executive Session.

**RESULT: ADOPTED [UNANIMOUS]; MOVER:** Alexander Mirabella, Freeholder; **SECONDER:** Christopher Hudak, Vice Chairman; **AYES:** Freeholder Bergen, Freeholder Estrada, Freeholder Jalloh, Freeholder Kowalski, Freeholder Mirabella, Freeholder Sullivan, Vice Chairman Hudak, Chairman Carter; **ABSENT:** Freeholder Wright;

ADJOURNMENT

Motion to adjourn the meeting at 8:50 PM.

**RESULT: ADOPTED [UNANIMOUS]; MOVER:** Daniel P. Sullivan, Christopher Hudak; **AYES:** Freeholder Bergen, Freeholder Estrada, Freeholder Jalloh, Freeholder Kowalski, Freeholder Mirabella, Freeholder Sullivan, Vice Chairman Hudak, Chairman Carter; **ABSENT:** Freeholder Wright;

2012 UNION COUNTY BOARD OF CHOSEN FREEHOLDERS' MEETING SCHEDULE

Please note that meetings are regularly held on Thursday evenings. Agenda Setting Sessions and Regular Meetings are held at 7:00pm in the Freeholders' Meeting Room, Administration Building, 10 Elizabethtown Plaza, 6th Floor, Elizabeth, New Jersey, unless otherwise specified. In the event an Agenda Setting Session and Regular Meeting are held on the same night, the Agenda Setting Session will commence at 7:00pm and the Regular Meeting will commence as soon as possible after the Agenda Setting Session.

Persons requiring a sign language interpreter should contact the Office of the Clerk of the Board at 908-527-4140.

REORGANIZATION MEETING - SUNDAY, JANUARY 8, 2012 at 12:00pm  
 Assignment Judge Karen M. Cassidy's Courtroom, 2 Broad Street, Elizabeth, NJ

AGENDA SETTING MEETINGS

REGULAR MEETINGS

January 19, 2012

January 26, 2012

February 2, 2012

February 9, 2012

February 16, 2012

February 23, 2012

March 1, 2012

March 8, 2012

March 15, 2012

March 22, 2012

April 5, 2012

April 19, 2012

April 26, 2012

April 26, 2012

May 3, 2012

May 3, 2012

May 17, 2012

May 31, 2012

June 14 2012

June 14 2012

June 28, 2012

June 28, 2012

July 12, 2012

July 19, 2012

August 9, 2012

August 16, 2012

September 6, 2012

September 13, 2012

September 20, 2012

September 27, 2012

October 4, 2012

October 11, 2012

October 18, 2012

October 18, 2012

November 8, 2012

November 8, 2012

Tues., November 20, 2012


November 29, 2012

December 6, 2012

December 6, 2012

December 20, 2012

December 20, 2012

  
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 James E. Pelletiere  
 Clerk of the Board

JEP:mb